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Date: 30/11/78

By: 051

MEMORANDUM FOR: Acting General Counsel

SUBJECT : Status of Career Staff Membership Relative to Veterans Preference Act

REFERENCE : Memorandum from SA-DD/A to DD/A, dated 2 Nov 54, subject: N and [REDACTED] "Summary of Information Presented at the Organization's Career Conference - 3 August 1954"

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1. At long last I have had a chance to bring up to Colonel White the matter of Section 2.c(6) of the referenced Agency Notice. You spoke to me about your concern over the statement made in this cited section, as it related to a possible appeals case involving a veteran who was not a member of the Career Staff but who had been through an RIF and then claimed that his rights as a veteran had been violated. You had said that he could cite this section as evidence that Career Staff membership was nothing but an internal device which had then been used against him.

2. Colonel White suggested that I discuss the matter with Mr. Reynolds to see if it might be advantageous to ask the Civil Service Commission for an opinion as to the possible value of Career Staff membership in any reduction in force. You will note that the Commission reportedly gave Mr. Maloon an "informal" opinion to the effect that Career Staff membership might be considered by the Commission as a valid retention criterion. Mr. Reynolds told me that this opinion was literally extracted from the Commission by Mr. Maloon and it did not reach the latter until the very day of the Career Conference on 3 August.

3. Mr. Reynolds feels that we would not have a clear case to present to the Commission now, were we to ask them for a formal decision as to the merits of Career Staff membership. He does feel that our position might materially improve following possible action by Congress on any CIA legislative proposals offered in support of the Career Service concept. Once Congress recognized our Career Service Program, and thus "dignified" it in the eyes of a regulatory body such as the Commission, we could approach them better prepared to ask for an answer on the matter of the relationship between Veterans Preference and Career Staff.

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4. Until that time, Mr. Reynolds indicated that about all we could do was to hope that no case would arise wherein Section 2.c(6) would be cited by the person appealing as his grounds for reinstatement. It was also Mr. Reynolds suggestion that you might want to air this whole matter with Mr. [REDACTED] of his office if you still feel that our present position is a dangerous one.

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[REDACTED]  
Special Assistant to the  
Deputy Director (Administration)

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SA-DD/A:JAC:dlc (10 Nov 54)

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